



General Assembly

Amendment

February Session, 2010

LCO No. 4299

SB0024404299HR0

Offered by:
REP. GIULIANO, 23rd Dist.

To: Senate Bill No. 244

File No. 197

Cal. No. 415

"AN ACT VALIDATING THE NOVEMBER 3, 2009, REFERENDUM IN THE TOWN OF COLUMBIA REGARDING REVISIONS TO THE CHARTER OF THE TOWN OF COLUMBIA."

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Section 12 of number 467 of the special acts of 1943 is
4 amended to read as follows (*Effective from passage*): [Said association
5 may purchase, acquire, hold, own, sell or convey such real or personal
6 estate as its purposes may require, and the board of governors may
7 enact by-laws or ordinances for the following purposes: To regulate
8 travel over the highways within the limits of the association, when, in
9 the opinion of said board, the free and unrestricted use of said
10 highways may become dangerous or inconvenient; to appoint and
11 remove police officers to act within the limits of said association, who
12 shall have the powers of constables within said limits for the purposes
13 of making arrests for the violation of any regulation or by-law of said
14 association or any law; to clean and improve ditches and to care for the
15 beaches and water fronts; to keep streets and all public places within

16 the limits of said association quiet and free from noise; to regulate the
17 parking of motor vehicles; to build, repair and improve highways,
18 roads and sidewalks within the limits of said association; to establish
19 building lines; to protect any property from fire, such protection to
20 include the regulation of the number and kind of cottages and
21 structures that may be erected or placed on any building lot within
22 said limits; to regulate the carrying on within the limits of said
23 association of any business that will, in the opinion of said board, be
24 prejudicial to public health or dangerous to, or will constitute an
25 unreasonable annoyance to, those living or owning property in the
26 vicinity thereof, which regulations shall be uniform for each class or
27 kind of buildings or structures, and for each class of business; to
28 regulate peddling as provided for in towns under the general statutes;
29 to restrict the right of entry on the property of said association except
30 upon the highways and to promote the planting of trees and shrubbery
31 and other work leading to the improvement of the appearance of
32 property within the limits of said association. Said association shall
33 have exclusive charge and control of all roads within the limits as
34 shown of the maps referred to in section two which are not under state
35 or town control. Said board of governors may fix a penalty for each
36 violation of any such by-laws, ordinances or regulations of not more
37 than twenty-five dollars, and the penalties may be recovered in an
38 action brought for the purpose in the name of The Cornfield Point
39 Association before any court having jurisdiction, for the use and
40 benefit of said association. No by-law, ordinance or regulation shall
41 take effect until ten days after its passage nor until it shall have been
42 posted on a signpost which shall be erected within the territorial limits
43 of the association at a place designated by the board of governors for at
44 least seven days. A certificate of the secretary of said association of the
45 posting of any by-law, ordinance or regulation as provided herein
46 shall be prima facie evidence of such posting. The method by which
47 water is supplied within the limits of the association at the time of the
48 passage of this act is approved, and any action thereunder is
49 confirmed, but the association may, at any time, purchase the plant
50 and equipment operated and used in furnishing the water on land

51 within the territorial limits of the association and may maintain,
52 construct, extend and operate reservoirs, water works and pipe lines
53 and a distribution system for supplying water to said association and
54 the inhabitants thereof.] The Cornfield Point Association may
55 purchase, acquire, hold, own, sell or convey such real estate or
56 personal property as deemed necessary or desirable by the board of
57 governors and approved by the association membership. The
58 association, by majority vote of the membership attending any annual
59 or special meeting at which a quorum has been attained, may enact
60 ordinances, bylaws or regulations for the following purposes: (1) To
61 clean, care for and improve the beaches and water fronts; (2) to build,
62 repair and improve sidewalks within the limits of said association; (3)
63 to restrict the right of entry on the property of said association and
64 control the use of association property; (4) to promote the planting of
65 trees and shrubbery and other work leading to the improvement of the
66 appearance of Cornfield Point Association property; (5) to require that
67 lots be maintained so as to prevent fire hazards and health problems
68 for other lots within the association; (6) to control the use, rental or
69 occupancy of garages, outbuildings, tents, trailers or campers for
70 dwelling, sleeping or living purposes; (7) to limit the rental or lease of
71 houses within the association to single families, as defined in the
72 zoning regulations of the town of Old Saybrook; and (8) to accomplish
73 the objects specified in section 3 of number 467 of the special acts of
74 1943. Such ordinances, bylaws and regulations shall have effect and be
75 enforceable within the geographic limits of the Cornfield Point
76 Association. Nothing in this section shall be construed to empower the
77 Cornfield Point Association to regulate the use of any member's lot
78 unless that use adversely affects the use or enjoyment by other
79 members of their lots or of association property. No bylaw, ordinance
80 or regulation of the association shall take effect until ten days after its
81 passage or until it shall have been posted on a sign post which shall be
82 erected within the territorial limits of the association at a place
83 designated by the board of governors for at least seven days. A
84 certificate of the secretary of said association of the posting of any
85 bylaw, ordinance or regulation as provided in this section shall be

86 prima facie evidence of such posting. The board of governors may,
87 with the approval of the association membership, authorize the
88 association to borrow funds for association purposes or benefit of the
89 association and may mortgage, pledge or grant a security interest in
90 any property or properties of the association, whether newly acquired
91 or already owned, as collateral to secure repayment of any such loan.
92 Any such approval shall be given at an annual meeting of the
93 association, except that approval may be given at a special meeting of
94 the association if natural disaster or emergency requires more
95 immediate action. Fifty members of the Cornfield Point Association
96 shall constitute a quorum for the transaction of business at any regular
97 or special meeting. The board may establish procedures for the
98 enforcement of such ordinances, bylaws or regulations, including, but
99 not limited to, fines for violation thereof, provided any such fine shall
100 not be less than ten dollars or more than one hundred dollars for each
101 day the violation continues. The board may impose any such fines and
102 institute legal action in the name of the association at law or in equity
103 to compel compliance with such ordinances, bylaws or regulations and
104 to collect fines imposed, provided no such action may be commenced
105 and no fines imposed against an individual or property owner until
106 seven days after written notice of violation has been sent by registered
107 or certified mail to the individual or one or more association members
108 identified as owners of the property in the land records of the town of
109 Old Saybrook."